

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

VIRGIL PAUL DICKSON,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-19-248-SM
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

ORDER

United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation (doc. no. 6), recommending the court grant in part and deny in part Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (doc. no. 5). Magistrate Judge Mitchell recommended that plaintiff pay the \$400.00 filing and administrative fees in monthly payments of \$100.00, with the first \$100.00 payment on a date determined by the court. Thereafter, plaintiff shall pay \$100.00 on or before the first day of each month. Magistrate Judge Mitchell advised plaintiff of his right to object to the Report and Recommendation by April 23, 2019 and that plaintiff's failure to make timely objection to the Report and Recommendation waives his right to appellate review of the factual and legal issues therein addressed.


No objection has been filed by plaintiff within the time prescribed by Magistrate Judge Mitchell. The court therefore accepts, adopts and affirms the Report and Recommendation.

Accordingly, United States Magistrate Judge Suzanne Mitchell's Report and Recommendation (doc. no. 6) is **ACCEPTED, ADOPTED** and **AFFIRMED**.

Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (doc. no. 5) is **GRANTED in part** and **DENIED in part**. Plaintiff shall pay the \$400.00 filing and administrative fees in monthly payments of \$100.00. Plaintiff shall make the first monthly payment of \$100 on or before **May 3, 2019**. Plaintiff shall thereafter payments of \$100.00 on or before **June 3, 2019**, on or before **July 1, 2019** and on or before **August 1, 2019**.

Failure of plaintiff to pay the fees as directed could result in this matter being dismissed pursuant to the Federal Rules of Civil Procedure. The Clerk of the Court shall not issue process until at least \$100.00 has been paid toward the fees.

IT IS SO ORDERED this 24th day of April, 2019.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE